

Board of Cosmetologist Examiners

February 9, 2015 Board Meeting Minutes

9:00 AM to 1:05 PM

Conference Room A, University Park Plaza
2829 University Ave SE, Minneapolis, MN 55414

Present at Meeting:

Mary Finnegan (electronically), Chair
Laurie Boggess, Member
Robert Salmonson, Member
Kurt Deile, Member
Nicki Dixon, Member
Chelsey Bell (electronically), Member

Michele Owen, Attorney
Gina Stauss Fast, Executive Director
Diane DelaBarre, Assistant Executive Director
Catrina Mairose, Licensing Division Manager
Lene Kiser, Compliance Specialist
Tami Thein, Assistant to the Executive Director
Rebecca Gaspard, Rules Analyst

I. ***Call to Order***

LB: Called meeting to order at 9:03 AM.

II. ***Approval of Proposed Agenda***

KD: Made a motion to pass the proposed agenda with flexibility.

BS: Seconded. 6 Ayes, 0 Nays. **Motion Carried.**

III. ***Approval of Minutes***

CB: Made a motion to approve the minutes from the December 8, 2014 Board meeting.

KD: Seconded. 6 Ayes, 0 Nays. **Motion Carried.**

IV. ***New Business: Waivers, In-House Requests, Rulemaking Update & Legislative Updates***

A. ***Waivers – Katie Netherton***

CM: KN is requesting a waiver of MN Rule 2105.0150, which requires an individual to apply for a license within three years of completion of the 1550/600/350-hour training. KN completed her esthetician training in May of 2011, but could not apply within three years due to medical hardship.

KD: Made motion to grant the request for waiver on the condition she completes the 4 CE, pass her laws test, take a 40 hour refresher and submits her application within one year.

BS: Seconded. 6 Ayes, 0 Nays. **Motion Carried.**

B. ***Waiver – Jennifer MacDonald***

CM: JM is requesting a waiver of MN Rule 2105.0150, which requires an individual to apply for a license within three years of completion of the 1550/600/350-hour

training. JM completed her esthetician training in October of 2010, but could not apply for her Esthetician Operator License within three years due to financial hardship. Website and Applications have been updated to current forms.

KD: Made motion to grant the request for waiver on the condition that she completes her 4 CE, 60 hour refresher, pass all her exams and submit her application with one year due to financial hardship.

MF: Seconded. 6 Ayes, 0 Nays. **Motion Carried.**

C. Waiver—Eileen Vigil

CM: EV is requesting a waiver of MN 2105.0150(A), which requires an applicant for an individual license to provide evidence of completion of high school or a general educational development certificate. She will be applying for a cosmetologist operator license based on her New Mexico license and, though New Mexico does require a high school diploma for licensure, EV says she never completed high school. Her request is based on the financial hardship she would face if she could not obtain a license.

MF: Made motion to grant the request for waiver on the condition she must take 4 hour, take and pass the laws exam within one year due to medical and financial hardship.

ND: Seconded. 6 Ayes, 0 Nays. **Motion Carried.**

D. Waiver—Simgba Sesay

CM: SS is requesting two waivers so that she may obtain a Cosmetologist Operator License. The first is of MN 2105.0150(A), which requires an applicant for an individual license to provide evidence of completion of high school or a general educational development certificate. The second is of MN 2105.0150, which requires an individual to obtain a license within three years of completion of the 1550/600/350-hour training. SS completed her cosmetology training in January of 2011 and applied for her license in March of 2011, but still does not have a complete application because of the lack of high school education. She has not yet completed her GED program because of medical and financial hardship. Ultimately, she would like to be granted her license so that she can work while finishing her GED program.

MF: Made motion to deny the request for waiver due to the fact that she has not documented her medical or financial hardship.

BS: Seconded. 6 Ayes, 0 Nays. **Motion Carried.**

LB calls for break at 9:39AM.

LB calls for order at 9:47AM.

E. In – House Requests

Discussion on whether pedicure bowls can be considered as sinks.

MF: Made motion that the Board interprets MN 2105.0360 does not include pedicure bowls/thrones/spas or basins of any kind. The Board directs the staff to include this interpretation in the rulemaking packet.

KD: Seconded. 6 Ayes, 0 Nays. **Motion Carried.**

Discussion: Paraffin wax dispensing for future rulemaking. Determined paraffin wax must be dispensed in a single-service manner and hands, feet or other body parts cannot be placed into a communal wax pot.

Discussion: Multiple salons in one establishment. This will be further discussed by the Licensing Committee.

F. Rulemaking & Legislative Updates

RG: Rulemaking is nearing the end of the Request for Comments stage.

Discussion: The Board bill, Mobile Salons bill and the Cosmetology apprenticeship bill.

LB calls for break at 11:40AM.

LB calls for order at 11:52AM.

V. Division Reports- Compliance Division Report, Licensing Division Report and Inspection Division Report

A. Compliance Division Report

DD: In the 2nd quarter, a total of 75 complaints were filed with the Board and currently have 166 active complaints.

B. Licensing Division Report

CM: Processing time has been maintained at 11 business days. In January, an average of 58.2 licenses was issued per day.

C. Inspection Division Report

DD: 350 total inspections completed from 12/9/14 – 1/30/15.

VI. New Business: Performance Review

A. Performance Review (Closed Session) pursuant to 13D.05 Sub 3.

LB calls meeting back to order at 1:00 PM

LB: Stated the result of the Performance Review of the ED. We have determined that our ED's performance is excellence and may be eligible for all pay increases and achievement awards for the next year.

VII. Adjournment

LB: Adjourned the meeting at 1:04 PM.